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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/289,601	04/12/99	KONISHI	S Q53957

WM31/0926
SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE N W
WASHINGTON DC 20037-3202

EXAMINER

TRAN, D

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 09/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/289,601

Applicant(s)

KONISHI, SHINJI

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 03 September 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Fujita et al. (US Patent No. 6,055,361) and McCormick et al. (US Patent No. 5,706,411).

As to claim 1, Fujita teaches:

a host computer (10 in fig. 1) and a printer (20 in fig. 1) for receiving print data from the host computer and printing based on the print data;

print data processing means (i.e., command processor 23 in fig. 1) for interpreting the print job including commands and print data (col. 5, 10-18 and 61-67).

print control means (24 in fig. 1) for printing based on interpretation of the print data processing means (col. 5, lines 16-18); and

job processing state monitor means (25 in fig. 1) for monitoring a processing state of the print job data based on the reply information returned from the print data processing means (col. 6, lines 3-5, 24-28).

Although Fujita does not teaches print data processing means for detecting the reply information from the print job data and returning the reply information to a predetermined destination, such limitations are merely a matter of design choice and would have been obvious

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in the system of Fujita. Fujita teaches another processor such as the urgent command processor (42 in fig. 1) for performing the same function as indicated above (col. 6, lines 24-28).

Therefore, using one processor for performing a plurality of functions in Fujita would have been a matter of obvious design choice to one of ordinary skill in the art.

Although Fujita teaches the host computer (from 10 in fig. 1) for generating print data and for issuing reply information (i.e., request command or status inquiry command in fig. 8) at a predetermined position of print job data containing the print data (col. 5, lines 5-9 and 61-63), Fujita does not mention means within the host for generating print data and issuing request status commands.

McCormick teaches means (i.e., windows print manager) for generating print data and means (i.e., control printing 1601 in fig. 16) for issuing the request status commands (col. 8, lines 20-32).

It would have been obvious to have modified the system of Fujita for generating print data and status request command from specified units from the host computer as taught by McCormick. The suggestion for modifying the system of Fujita can be reasoned by one of ordinary skill in the art as set forth by McCormick because both of the printing systems of Fujita and McCormick are related with the exchange of data between the host computer and the printer and McCormick provides the host computer to generate print job including status request command and receive the status information from the printer to the user so that the user easily keep tracks any status of the printer.

As to claim 2, Fujita teaches the print data processing means returns the reply information to the predetermined destination after completion of processing of the print data (col. 5, line 64 through col. 6, line 5).

As to claim 3, Fujita teaches if the reply information is related to print data concerning print operation, the print data processing means checks execution of the print data concerning print operation before returning the reply information to the predetermined destination (col. 5, line 64 through col. 6, line 5).

As to claim 4, Fujita teaches the reply information issuance means issues timing specification information for specifying return timing of the reply information in addition to the reply information, and wherein the print data processing means returns timing specified on the timing specification information (col. 1, lines 48-50).

As to claim 5, Fujita teaches the reply information issuance means issues timing specification information for specifying return timing of the reply information in addition to the reply information, and wherein upon reception of the timing specification information, the print data processing means returns the reply information to the predetermined destination after completion of processing the print data related to the reply information (col. 1, lines 48-50).

As to claim 6, Fujita teaches the reply information issuance means issues timing specification information for specifying return timing of the reply information in addition to the reply information, and wherein upon reception of the timing specification information, the print data processing means returns the reply information to the predetermined destination after checking processing of the print data concerning print operation related to the reply information (col. 5, line 64 through col. 6, line 5).

As to claim 7, Fujita teaches the reply information issuance means issues the reply information and the timing specification information so that the print data is placed between the reply information and the timing specification information. (col. 5, line 64 through col. 6, line 5).

As to claim 8, Fujita teaches the reply information issuance means issues the timing specification information and the reply information so that the timing specification information, the print data, and the reply information are processed by the print data processing means in this order (col. 5, line 64 through col. 6, line 5).

As to claim 9, Fujita teaches the print data concerning print operation is at least any one of a paper feed instruction, a paper eject instruction, a page feed instruction, a line feed instruction, and a carriage return instruction (col. 5, 19-23; note: the printer command should include these above features).

As to claim 10, Fujita teaches reply information detection means for detecting the reply information returned from the print data processing means and sending the detected reply information to the job processing state monitor means (from 23 to 26 in fig. 1).

As to claim 11, due to the similarity of this claim to a portion of claim 1, this claim is rejected as the reasons applied to claim 1.

As to claims 12-13, and 15-18, due to the similarities of these claims to those of claims 2-5, and 7-8, these claims are rejected as the reasons applied to claims 2-5 and 7-8.

As to claim 14, Fujita teaches the print data concerning print operation is at least any one of a paper feed instruction, a paper eject instruction, a page feed instruction, a line feed instruction and a carriage return instruction (col. 5, lines 24-40).

As to claim 19, Fujita teaches the reception means, the print data processing means, and the print control means can operate in parallel (see fig. 1).

As to claim 20, McCormick teaches means (i.e., windows print manager) for generating print data and means (i.e., control printing 1601 in fig. 16) for issuing the request status commands (col. 8, lines 20-32).

a job processing state monitor function (1601 in fig. 16) of monitoring a processing state of the print job data based on the reply information returned from the printer in a format that can be read and understood by a computer (col. 8, lines 50-53).

However, McCormick does not teach reply information at a predetermined position of print job data containing the print data.

Fujita teaches reply information (i.e., request command or status inquiry command in fig. 8) at a predetermined position of print job data containing the print data (col. 5, lines 5-9 and 61-63).

It would have been obvious to have modified the system of McCormick for locating the reply information at a predetermined position of the print job containing the print data as taught by Fujita. The suggestion for modifying the system of McCormick can be reasoned by one of ordinary skill in the art as set forth by Fujita because Fujita provides the host computer to generate print job including status request command and receive the status information from the printer to the user so that the user easily keep tracks any status of the printer.

As to claim 21, McCormick teaches the reply information issuance function issues timing specification for specifying return timing of the reply information in addition to the reply information (col. 10, lines 36-46).

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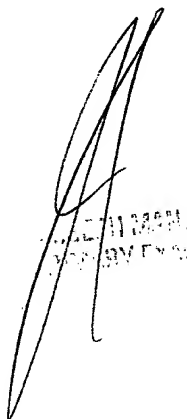
As to claim 22, McCormick teaches reply information detection (1603 in fig. 16) function of detecting the reply information returned from the printer and sending the detected reply information to the job processing state monitor function (1601 in fig. 16).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Sep. 29, 2001



SEP 29 2001
DOUGLAS Q. TRAN